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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,103	05/31/2001	Graham V. Poor	02054.0003U1	1649

7590   03/01/2004

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EXAMINER
CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
2686	4

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">

Office Action Summary</td><td colspan="2">Application No.</td><td>Applicant(s)</td></tr>
<tr><td colspan="2">09/873,103</td><td>POOR ET AL.</td></tr>
<tr><td>Examiner</td><td colspan="2">Art Unit</td></tr>
<tr><td>Joy K Contee</td><td>2686</td><td></td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 May 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 May 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4)☐ Interview Summary (PTO-413) Paper No(s). _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors

Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology

Technical Amendments Act of 2002 do not apply when the reference is a U.S.

patent resulting directly or indirectly from an international application filed before

November 29, 2000. Therefore, the prior art date of the reference is determined

under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C.

102(e)).

2.   Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by

Weisshaar et al. (Weisshaar), U.S. Patent No. 6,580,916.

Regarding claim 1, Weisshaar discloses a method for managing

application programs in a digital electronic device, the method comprising the

steps of:

creating a plurality of bus listener objects (i.e., reads on events) in an object

framework of the device (col. 10,lines 29-31); defining a plurality of bus

addresses, each corresponding to one and only one of the plurality of bus listener objects; receiving a value from a process; writing the value in a bus address; and a bus listener object to which the bus address (i.e., service parameters) corresponds responding to a change in value stored in the bus address by invoking an object method associated with the address (col. 13,57-63 and col. 17,lines 53-60).

Regarding claim 2, Weisshaar discloses the method claimed in claim 1, wherein the step of receiving a value comprises wirelessly receiving an activation signal from a remote source, the activation signal including a representation of a value (col. 17, lines 53-60).

Regarding claim 3, Weisshaar discloses the method claimed in claim 1, wherein the step of receiving a value from a process comprises receiving a value from an application program method in the device (col. 17, lines 60-67 to col. 18,line 2).

Regarding claim 4,Weisshaar discloses the method claimed in claim 1, wherein the step of receiving a value from a process comprises receiving a value from a framework method in the device (col. 17,line 60 to col. 18, line 2).

Regarding claim 5, Weisshaar discloses the method claimed in claim 1, wherein the step of creating a plurality of bus listener objects is performed in response to a control file specifying the bus address and corresponding method associated with the bus address of each bus listener (col. 10,lines 27-31).

Regarding claim 6, Weisshaar discloses the method claimed in claim 1, wherein the object framework is a software layer between an application program layer and a platform layer (col. 9, lines 34-40).

Regarding claim 7, Weisshaar discloses the method claimed in claim 6, wherein the object method is of an application program (col. 8,lines 33-35).

Regarding claim 8, Weisshaar discloses the method claimed in claim 6, wherein the object method is of the framework (col. 13,1-7).

Regarding claim 9, Weisshaar discloses the method claimed in claim 8, wherein the object method runs an application program (col. 8,lines 33-35).

Regarding claim 10, Weisshaar discloses the method claimed in claim 8, wherein the object method installs an application program (col. 8,lines 33-35).

Regarding claim 11, Weisshaar discloses the method claimed in claim 8, wherein the object method monitors application program usage (col. 13,lines 57-63).

Regarding claim 12, Weisshaar discloses the method claimed in claim 8, wherein the object method enables an application program. (col. 8,lines 33-35)

Regarding claim 13, Weisshaar discloses an electronic device, comprising: a memory in which is storable an object framework and a plurality of application programs; and a processing system programmed to effect a method using the object framework comprising the steps of: creating a plurality of bus listener objects; defining a plurality of bus addresses, each corresponding to one and only one of the plurality of bus listener objects; receiving a value from a process; writing the value in a bus address; and a bus listener object to which the

bus address corresponds responding to a change in value stored in the bus

address by invoking an object method associated with the address (col. 10,lines

27-32 and .col. 17, lines 53 to. col. 18,lines 43)

Regarding claim 14, Weisshaar discloses the device claimed in claim 13,

wherein the processing system includes a wireless network interface that

inherently receives the value wirelessly from a remote source (col. 5,lines 39-45).

Regarding claim 15, Weisshaar discloses the device claimed in claim 13,

wherein the processing system receives a value from an application program

method (col. 18,lines 1-43).

Regarding claim 16, Weisshaar discloses the device claimed in claim 13,

wherein the processing system inherently receives a value from a framework

method in the device (col. 17,line 53 to col. 18,line 43).

Regarding claim 17, Weisshaar discloses the device claimed in claim 13,

wherein the processing system creates the plurality of bus listener objects in

response to a control file specifying the bus address and corresponding method

associated with the bus address of each bus listener (col. 10, lines 27-32).

Regarding claim 18, Weisshaar discloses the device claimed in claim 13,

wherein the object framework is a software layer between an application program

layer and a platform layer (col. 9,lines 34-40).

Regarding claim 19, Weisshaar discloses the device claimed in claim 18,

wherein the object method is of an application program (col. 8,lines 33-35).

Regarding claim 20, Weisshaar discloses the device claimed in claim 18,

wherein the object method is of the framework. (col. 13,lines 1-5)

Regarding claim 21, Weisshaar discloses the device claimed in claim 20, wherein the object method runs an application program (col. 8, lines 33-35).

Regarding claim 22, Weisshaar discloses the device claimed in claim 20, wherein the object method installs an application program (col. 8,lines 33-35).

Regarding claim 23, Weisshaar discloses the device claimed in claim 20, wherein the object method monitors application program usage (col. 18,lines 5-19).

Regarding claim 24, Weisshaar discloses the device claimed in claim 20, wherein the object method enables an application program (col. 18,lines 5-19).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Buskens et al. U.S. Patent No. 6,298,039, discloses a high availability distributed call.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K Contee whose telephone number is 703-308-0149. The examiner can normally be reached on 5:30 a.m. to 2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306

Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the receptionist whose telephone number is

703-306-0377.

Joy Contee

ERIKA GARY
PATENT EXAMINER

February 20, 2004